



STATE OF NEW HAMPSHIRE POSTSECONDARY EDUCATION COMMISSION

Financial Aid | College & University Approvals | Career School Licensing | Veterans State Approvals | Closed School Transcripts | Research/Studies

MINUTES OF MEETING OF MARCH 12, 2009

A regular meeting of the Postsecondary Education Commission was held at 3 Barrell Court, Concord, New Hampshire at 2:00 p.m. on Thursday, March 12, 2009. The following members were present:

Helen Giles-Gee, Chair
Father Jonathan DeFelice, Vice Chair
Stephen Appleby
John Curran
Richard Harris
Mark Huddleston
John Hutson
Lucille Jordan
Paul LeBlanc
Robert Myers
Stephen Reno
Eli Rivera
Lyonel Tracy

The following persons also attended: James Craiglow, President Emeritus/Chancellor Emeritus, Antioch University New England; Tom Horgan, President & CEO, NH College & University Council; James Kennedy, Legal Counsel; Paula Lemmo representing Dale Carnegie; Donald Wenz, President, John Layton, Dean, Flora Meyer, Director, BSN Program, Arthur Gardiner, Esq., Legal Counsel and Trustee, representing Lebanon College; Robin Peevey, Director of State Relations & Regulatory Affairs, Cindy Brown, Associate Vice President of National Programs, representing Lesley University; Lawrence Velvel, Dean, Michael Coyne, Associate Dean, Joseph Ellis, Trustee, representing Massachusetts School of Law; James Bianco, Legal Counsel, representing St. John International University; Kathryn Dodge, Executive Director, Patricia Edes, Assistant to the Executive Director, Judith Knapp, Administrator of Student Financial Aid/Research and Studies, Cynthia Capodestria, Associate, Student Financial Aid/Research and Studies, Lynn West, Administrator of Career School Licensing, Kim Kenneally, Program Assistant, Career School Licensing, Larry Elbroch, Administrator of Veterans State Approvals, Clifton Burdette, Program Specialist, Veterans State Approvals, Ingrid Lemaire, Programs Evaluation Specialist, College Access Challenge Grant; Catherine Yeager, Transcriptionist

- 2) On the motion of Mr. Reno, seconded by Vice Chair DeFelice, the members present resolved themselves into a Committee of the Whole. The motion passed without dissent.

- 2) Chair Giles-Gee called the meeting to order, welcomed everyone, and asked those present to introduce themselves.
- 3) Vice Chair DeFelice moved, seconded by Mr. Huddleston, to approve the revised By-Laws. The motion passed without dissent.
- 4) Mr. Reno reported for the Nominating Committee. Due to a personal leave of absence by Chair George Hagerty, the Nominating Committee recommended Fr. Jonathan DeFelice, as a senior private college or university president and former Commission chair, assume the role as an officer. Vice Chair Helen Giles-Gee would assume the role as chair. Should Mr. Hagerty not return by the end of June 30, 2009, future direction would be determined by the Nominating Committee and recommended to the full Commission at the September 2009 meeting. The following revised slate of officers was presented for the 2008-2010 term:

Chair (Representative of a 4-Year Public Institution) – Helen Giles-Gee
Interim Vice Chair (Representative of a 4-Year Private Institution) – Fr. Jonathan DeFelice
Representative of a 2-Year Public Institution: Richard Gustafson
Representative of a Private Postsecondary Career School: Stephen Appleby
Representative of Lay Public: David Mahoney

Mr. Reno moved, seconded by Mr. Rivera, to accept the slate of officers. The motion passed without dissent.

- 5) On the motion of Mr. Tracy, seconded by Mr. Appleby, the members present moved out of a Committee of the Whole, and accepted the revised By-Laws and the report of the Nominating Committee. The motion passed without dissent.
- 6) On the motion of Vice Chair DeFelice, seconded by Mr. LeBlanc, the members accepted the minutes of September 11, 2008 and December 16, 2008. The motion passed without dissent.
- 7) On the motion of Vice Chair DeFelice, seconded by Mr. Huddleston, the members approved the fixed language of the N.H. Code of Administrative Rules, Pos 1000, Evaluation of In-State and Out-of-State Degree-Granting Postsecondary Institutions with a Physical Presence, or Place of Contact that Conduct Advising/Mentoring or Instruction in New Hampshire. The motion passed without dissent.
- 8) Chair Giles-Gee presented a brief introduction of Lebanon College's request for approval to offer the Bachelor of Science in Nursing (RN to BSN) degree. At the September 11, 2008 meeting, the Commission temporarily approved Lebanon College to offer the Bachelor of Science in Nursing (RN to BSN) degree. One of the conditions to be met was that within 30 days (October 11, 2008) [update at the December 11, 2008 Commission meeting] Lebanon College would provide evidence that it had hired at least one full-time nurse who had curriculum development experience at the baccalaureate level and had at least a Masters in Nursing. Lebanon College did not meet this condition

and the Evaluation Committee recommended withdrawal of approval to Lebanon College to offer the Bachelor of Science in Nursing (RN to BSN). The Executive Committee reviewed this recommendation and approved it to go forward to the full Commission.

Mr. Myers, Chair, reported on behalf of the Lebanon College Evaluation Committee. Mr. Myers reiterated the summary of Chair Giles-Gee above and added that Lebanon College had been granted an extension to March 12, 2009 to provide evidence that it had met the above condition. He noted that Flora Meyer was present, had stellar credentials in clinical experience and administrative experience, but no determination that she had curricular development experience at the baccalaureate level.

Lebanon College representatives stated they had informed the Commission that they had decided to partner the administrative position with a curricular expert. Flora Meyer was hired full time as the director and Susan Boyer was hired part time as the Director of Curriculum Development. Lebanon College representatives questioned why this was not acceptable to the Commission. A lengthy discussion ensued.

Ms. Jordan moved, seconded by Vice Chair DeFelice, to withdraw approval from Lebanon College to offer the Bachelor of Science in Nursing (RN to BSN) as it does not meet the requirement that it hire at least one full-time nurse who had curriculum development experience at the baccalaureate level and had at least a Masters in Nursing. The motion passed, Mr. Harris, Mr. Rivera and Mr. Tracy voting nay.

- 9) Ms. West presented an update on Career School Licensing.
 - a. A required in-depth Progress Report was circulated listing unlicensed career schools that have been advised of non-licensure, schools notified to cease operations, and schools referred to the N.H. Department of Justice.
 - b. At the September 11, 2009 meeting, it was reported that as a result of the passage of H.B. 1394, the N.H. Board of Nursing required that licensed career schools offering nursing programs be accredited from a regional or national accrediting body recognized by the U.S. Department of Education. Also, these schools must be part of or affiliated with an existing accredited educational institution. This proved to be a hardship for those career schools offering nursing programs as "affiliation" had not been defined by the Board of Nursing. The Commission recommended that communication be forwarded to the NH Board of Nursing stating the Commission concerns, including the definition of "affiliation," and further clarification of its intentions. It was agreed that Executive Director Dodge would send out communication to the Board of Nursing and update the Commission. The required letter was forwarded on September 15, 2008. There has been no response from the NH Board of Nursing. It was noted that the NH Board of Nursing withdrew approval of CareMed Educational Service's Licensed Practical Nursing Program.

- c. On January 30, 2008, the Career School Licensing Task Force met to discuss the pros and cons of licensing career schools that offer business skills. Courses or workshops falling into this category were communication, motivation, critical thinking, management, leadership, conflict resolution, organization, etc. Entities that fell into this category include, but not limited to: Fred Pryor Seminars, Human Capital Solutions, National Business Institute, National Seminars Training, Pagett-Thomson Seminars, Skill Soft, Skill Path, etc. The task force agreed that these entities should be licensed. On the motion of Mr. Huddleston, seconded by Mr. Reno, the Commission voted to confirm the licensure of entities that offer business training.
 - d. Per direction of Attorney Kennedy, the “Schools Not Approved to Operate” web page on the Commission’s web site was removed temporarily.
 - c. At the September 11, 2008 meeting, Chair Hagerty requested that Ms. West provide a brief document around questions raised concerning career school activity. This document was circulated.
- 10) On the motion of Mr. Myers, seconded by Mr. Appleby, the Commission voted to approve the use of the following statement, “Normally, Commissioners and NH sitting presidents will not chair evaluation teams.”
- 11) James Craiglow, Chair, reported on behalf of the Lesley University Evaluation Committee. Lesley University requested approval to offer the M.Ed. in Special Education and the M.Ed. in Mathematics Education. The Evaluation Committee also included Executive Director Dodge. Lesley University has had approval to operate in NH since 1982 and currently has approval to offer an M.Ed., Technology in Education (currently no sites); M.Ed. in Curriculum and Instruction with Specialization in Integrated Teaching through the Arts (Walnut Hill Seminar House, Raymond); C.A.G.S., Integrated Teaching through the Arts; M.Ed. in Curriculum and Instruction with Specialization in Literacy: Language, Reading and Writing (Conant School, Concord, S.A.U. 8; Merrimack Middle School, Merrimack, S.A.U. 26; Woodsville High School, Woodsville, S.A.U. 23). The Evaluation Committee had the opportunity to review a full package of materials that addressed all Commission standards, and spoke with program administrators, program directors, math and special education faculty in Cambridge, MA. The Evaluation Committee recommended the Commission approve Lesley University to offer the M.Ed in Special Education and the M.Ed. in Mathematics Education in the State of New Hampshire until June 30, 2012, with the requirement that Lesley University inform the executive director of cohort locations (any new site would require a visit to confirm compliance) and the beginning dates of instructional delivery for these programs.

Lesley University was also required to add annual updates on these new programs to the current required annual reports detailing enrollment by program(s) and site, any changes in faculty (net number change, credentials and teaching assignments for new hires), and/or curriculum beginning December 31, 2009.

If Lesley University wished to continue to offer these two degrees in NH, an explicit request would be included in the December 31, 2011 report with details about progress of cohorts in these programs. Following receipt of the December 31, 2011 Annual Report, a site visit, with a two-person team, would be scheduled for January 2012. A report would be presented to the full Commission at the March 2012 meeting.

Authority would expire at the end of any calendar year for which required report(s) are not received.

On the motion of Mr. LeBlanc, seconded by Mr. Myers, the Commission voted to accept recommendations. The motion passed without dissent.

- 12) James Craiglow, Chair, reported on behalf of the Massachusetts School of Law Evaluation Committee. The Massachusetts School of Law requested approval to operate in New Hampshire, establish the New Hampshire College of History and Law, and offer the Bachelor Of Arts (BA) in History and Law. The Evaluation Committee also included Robert Macieski, Associate Professor of History at the University of New Hampshire, Peyton Paxson, Professor of Social Science and Human Services at Middlesex Community College, and Executive Director Dodge.

The Evaluation Committee found it a very complex and challenging review, looked at a new institution using a completion college model, and reviewed substantial written materials which exceeded requirements. The site visit was extremely thorough and the Evaluation Committee requested a detailed response to follow-up questions and issues. The original Evaluation Plan, the site visit and follow-up responses led the Evaluation Committee to its recommendations. All Commission standards were addressed.

The Evaluation Committee recommended the Commission approve the Massachusetts School of Law to operate in New Hampshire, establish the New Hampshire College of History and Law, and offer the Bachelor of Arts in History and Law for an initial period of four years, or until June 30, 2013. A full report detailing location, space secured, promotional and advertising copy, catalog material, appropriate disclaimers, anticipated entry date of first class of matriculants, and other pertinent materials and documents related to the opening would be forwarded to the executive director. Annual reports would be required by December 31, 2010 and each year thereafter by December 31. In addition to providing general updates on progress related to Commission standards, the report would include specific updates on the following: enrollment; faculty hires (degrees/discipline(s); teaching assignments); audited financial reports; curriculum developments; library development; student support updates (ADA officer, "cultural" needs, etc.) personnel policy development; and updates on regional accreditation. Any new program or change in direction from issues addressed in the report would require a preliminary report to the Commission, detailing curriculum, faculty resources, and other factors. Authority would expire at the end of any calendar year for which required report(s) are not received.

Another site visit would be made in spring 2011, based on information received in the start-up report and the Annual Report provided by December 31, 2010.

The Commission would authorize the filing of articles of incorporation with the New Hampshire Secretary of State.

Discussion followed. Mr. Huddleston raised a concern with the name “New Hampshire College of History and Law” and the confusion it could raise for potential students and other institutions that have a NH designation in its name.

Ms. Jordan moved, seconded by Mr. Rivera, to accept recommendations, with one amendment, namely that the Massachusetts School of Law would come up with a name other than the “New Hampshire College of History and Law” so that any confusion with existing NH institutions would be eliminated. Representatives from the Massachusetts School of Law would come back to Executive Director Dodge with a new name. Executive Director Dodge would notify appropriate legislative bodies of Commission action, and testify accordingly when legislation pertaining to degree-granting authority was introduced. The motion passed without dissent.

- 13) Mr. Reno moved, seconded by Mr. Huddleston, to accept the following annual reports/request(s):
- a. Antioch University New England – Masters and Doctoral Degrees
 - b. Boston University, Metropolitan College – Master of Science in Computer Science, Master of Science in Information Systems to Employees of Liberty Mutual Insurance Company
 - c. Case Western Reserve University – Core Courses for Doctor of Nursing
 - d. Johns Hopkins University – Master of Science in Systems Engineering to Employees at B.A.E., Nashua
 - e. Lesley University – the following degrees to any educator at any school site in the State of New Hampshire with prior approval from the executive director: M.Ed. in Curriculum and Instruction with a Specialization in Literacy (Sites S.A.U.’s 23 and 35, Conant School, Concord, Merrimack Middle School); M.Ed. in Integrated Teaching through the Arts and C.A.G.S. related to the M.Ed. (Walnut Hill Seminar House, Raymond); M.Ed., Technology in Education - pending approval of site(s).
 - f. Massachusetts College of Pharmacy and Health Sciences – Master of Physician Assistant Studies and Doctor of Pharmacy
 - g. Pratt Institute – Spring/Summer Intensive Program for Master in Art Therapy or Master in Dance Therapy

- h. Rivier College - E.D. in Leadership and Learning
 - i. St. John International University - Bachelor of Science in Environmental Architecture, Bachelor of Art in Environmental Studies, Bachelor of Film Studies, Bachelor of Art History, Bachelor in Business Administration, Master's of Architecture, Master's of Business Administration, Master's of Arts-International Arts Administration
 - j. Southern New Hampshire University – Master of Science in Justice Studies
Vote also included an extension of degree-granting authority for an additional year, or until June 30, 2010, with an Annual Report due December 31, 2009.
 - k. Springfield College – Bachelor of Science in Human Services, Master of Science in Human Services, Master of Science in Human Services/Mental Health Counseling
 - l. WyoTech – In-State Recruitment
- 14) Ms. Knapp presented the Workforce Incentive Program –Shortage Areas for 2009-2010 academic year. Mr. LeBlanc moved, seconded by Vice Chair DeFelice, to designate shortage areas for the 2009-2010 academic year as follows:
- Nursing: LPN through graduate level
Teaching, as follows: Special Education
Foreign Languages (Classical and Modern)
Mathematics
Physics
Chemistry
Physical Science
General Science
- 15) Executive Director Dodge presented an update on the Federal Economic Stimulus Package submitted to the director of the Office of Economic Stimulus at the NH Department of Justice. The Commission would only be involved in the Longitudinal Data System which would be coordinated through the Governor's P-16 Working Group.
- 16) Mr. LeBlanc moved, seconded by Ms. Jordan, to adopt fixed language for the following N.H. Code of Administrative Rules: Pos 600, New Hampshire Incentive Program; Pos 1000, Evaluation of In-State and Out-of-State Degree-Granting Postsecondary Institutions with a Physical Presence, or Place of Contact that Conduct Advising/Mentoring or Instruction in New Hampshire; and Pos 1400, Tuition Waivers for Foster Children. The motion passed without dissent.
- 17) Executive Director Dodge presented highlights of the Executive Director Report. These included:

- a. The Commission's budget, as presented at the budget hearing in the fall, remained intact in the Governor's Budget, presented to the state on February 12, 2009. Our FY '10 request is 97% of the FY '09 budget and the FY '11 budget is 100% of the FY '09 budget.
- b. Per RSA 292:8-h, III, the Commission is required to report its actions by January 31 of each odd-numbered year to both the house and senate standing committees on education. In accordance with this statute, a report reflecting degree-granting activity (evaluations, re-evaluations, annual reports, etc.) was forwarded to Senator Molly Kelly and Representative Emma Rous. Those interested in receiving a copy, were encouraged to contact Patti.
- c. The *2009 Status of Higher Education in New Hampshire* report was completed and is available, as is the 2008 report, on the Commission's web site – www.beyondhighschool.nh.gov under the News Alert and the Research and Studies sections.

Chair Giles-Gee requested that Commissioners retain copies to discuss at the Commission's retreat.

- 18) Executive Director Dodge circulated a *Recent Research and Studies and Articles* to inform Commissioners about policy issues that could impact the work of the Commission. Mr. Reno commended Executive Director Dodge on the succinct summary and overview. Executive Director Dodge acknowledged Ingrid Lemaire.
- 19) Mr. Elbroch commented on the Post 9-11 G.I. Bill and how institutions would like to attract more veterans. There is a dramatic change in the way the U.S. Veterans Administration handles veterans, providing a significant increase in veteran's educational benefits. The Bill changed some of the schools' requirements. If institutions are interested, staff can provide further information.
- 20) Executive Director Dodge presented the *Commission Retreat Highlights/Task Force Recommendation*, which included a list of task forces, names of recommended people, and goals for each. The Executive Committee recommended that the Commission agree on task forces and charge the task force members to come together and revisit these goals and timelines to make sure they are, in fact, appropriate.

Mr. Appleby requested an additional member from the academic community be added to the Career Schools Task Force as it is slanted towards the non-academic community. It was agreed that the Commission would identify an additional individual from the academic community to serve on the task force.

It was also agreed that Commission staff would be in charge of arranging meetings and notifying members.

- 21) Mr. Reno moved, seconded by Mr. DeFelice, to approve the revised *Performance Evaluation Policy* for the executive director position. The motion passed without dissent.
- 22) On the motion of Mr. Reno, seconded by Mr. Appleby, and by unanimous agreement, Commission members went into Executive Session, under RSA 91-A:3, II (e), for the purpose of discussing the reappointment of the executive director.

The Commission returned to regular session without taking any votes. Mr. Reno moved, seconded by Mr. Appleby, to seal the minutes of the Executive Session. The motion passed without dissent.

Vice Chair DeFelice moved, seconded by Mr. Huddleston, to reappoint Kathryn Dodge as Executive Director for a four-year term, or until March 14, 2013. The Commission recognized Executive Director Dodge's professionalism, superior service to the state, and outstanding support of NH postsecondary education.

Vice Chair DeFelice and Chair Giles-Gee put forth the following recommendation to the Executive Committee, "Every two years, the executive director would issue a report on the progress towards meeting objectives as outlined and agreed upon by the executive director, chair and vice chair, with the report issued beginning the year 2011." Vice Chair DeFelice moved, seconded by Mr. Appleby, to accept the recommendation. The motion passed without dissent.

Executive Director Dodge thanked the Commissioners for giving her the opportunity to continue as executive director.

Chair Giles-Gee encouraged Commissioners to accompany Executive Director Dodge to legislative testimony as she is taking Commission actions to those bodies.

On the motion of Mr. Reno, seconded by Mr. Myers, the chair and vice chair were asked to report back to the Commission on the course of action for an increase of pay for Executive Director Dodge. The motion passed without dissent.

The meeting adjourned at 4:00 p.m.